

From: Craig Walker
To: Jerriann Ernstsens
Date: 1/29/04 3:55PM
Subject: Fwd: RE: skyline

Jerriann,

Regarding the attached email....

Much of the spawning habitat for Electric Lake has been altered or fragmented since the lake began losing water. I talked with Justin Hart (the sport fish biologist in SER) and we came to the consensus that Louis' suggested three year rotation on sampling in tributaries to Electric Lake is valid and should be included in permit revision. We believe that annual sampling would likely increase mortality of smaller (larval and juvenile) Yellowstone cutthroat trout, resulting in further reductions in the quality of the Electric Lake fishery. Talk to you soon!

-Craig

Craig A. Walker
475 W. Price Dr., Ste. C
Price, Utah
84501-2860

Ph: 435-636-0276
Fax: 435-637-7361

email: craigwalker@utah.gov

>>> Jerriann Ernstsens 01/29/04 08:02AM >>>

Let me know what you think about the fish testing for Skyline Mine.

CC: Justin Hart; Michael Hudson

From: "Hansen, Chris" <CHansen@archcoal.com>
To: "Jerriann Ernstsens" <jerriannernstsens@utah.gov>
Date: 1/29/04 7:45AM
Subject: RE: skyline

Jerriann:

Got your message. As for the Goshawk survey, I will see if we have the narrative. I thought it had been submitted with the map. If not, I will forward it on. As for the fish. We did the initial fish testing in James and Burnout and the results were submitted in a report from Mt. Nebo Scientific. After the first year, DWR asked us not to shock the fish every year but to wait three years between shocking events. I guess they were worried about adverse effects on the fish, maybe swimming in circles or developing uncontrolled twitches. This request was forwarded to us by Louis Berg, who has since left DWR, and I believe Susan White is aware of this request. We should change our permit to reflect this request.

As for Sufco, I will talk to Mike about the monitoring issues.

thanks
Chris

-----Original Message-----

From: Jerriann Ernstsens [mailto:jerriannernstsens@utah.gov]
Sent: Wednesday, January 28, 2004 5:53 PM
To: Hansen, Chris
Subject: skyline

Hi Chris,

I was assigned to review the 2002 annual reports. Well I did, but I thought that the permittee received a copy of my comments!! I finally found out last month - by accident - that is not the procedure. Rather, if I found anything missing, then I was supposed to contact the inspector or mine (I can't remember now who).

Below I clipped out my portion of the review for you to look over and address over the phone or in the 2003 AR. Call me if there are any inconsistencies with how you understand what you were supposed to accomplish in 2002 or if I just need help. I'm very open to discussion!!

- From 2002 AnnRev: Canyon Fuel Company contractors and mine personnel conducted the goshawk survey for 2002. The Permittee submitted a map showing the area surveyed was near the southern end of the permit area in quadrants 27, 26, 25, 34, 35, and 36. Goshawk nesting area is located in the center of the ~rectangular survey area.

This submittal is not accompanied with narrative describing the results. The Division can not determine whether there were active nest within the area surveyed. The Permittee must provide the results in a narrative format.

1-28-04: FOR THIS ONE, I CAN FIND OUT FROM CHRIS, BUT YOU MAY WANT TO INCLUDE A BRIEF NARRATIVE OR TABLE OF RESULTS FOR FUTURE ANNUAL REPORTS. THANKS.

- From 2002 AnnRev: The 2002 annual report did not include data for Yellowstone cutthroat fish or any other fish. The Permittee committed

to sampling fish in the fall and must initiate the approved survey requirements. The Permittee must sample in the fall for two consecutive years and then every three years thereafter. Include the survey results in annual reports or as appendices to the MRP.

1/28/04: IF YOU SUBMITTED THE DATA PLEASE LET ME KNOW WHEN AND IN WHAT FORMAT. THANKS.

Also, I sent a few emails to you and Mike concerning some requirements for SUFCO (not related to the Annual Report, but to the mitigation process and MRP). I think Mike will probably contact me on those items - hopefully in the next week or two.

Thanks for your time,

Jerriann Ernstsén, Ph.D.
Division of Oil, Gas, & Mining
Department of Natural Resources
1594 West North Temple, Suite 3610
SLC Utah 84114
801-538-5214
jerriannernstsén@utah.gov

***** Email Disclaimer *****

The information contained in this e-mail, and in any accompanying documents, may constitute confidential and/or legally privileged information. The information is intended only for use by the designated recipient. If you are not the intended recipient (or responsible for delivery of the message to the intended recipient), you are hereby notified that any dissemination, distribution, copying, or other use of, or taking of any action in reliance on this e-mail is strictly prohibited. If you have received this e-mail communication in error, please notify the sender immediately and delete the message from your system.